



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,320	11/26/2001	Wolfgang Bross	100111406-2	9508

22879 7590 12/11/2008
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

ADE, OGER GARCIA

ART UNIT	PAPER NUMBER
----------	--------------

3687

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/11/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
mkraft@hp.com
ipa.mail@hp.com

1
2
3
4
5
6 UNITED STATES PATENT AND TRADEMARK OFFICE
7

8
9 BEFORE THE BOARD OF PATENT APPEALS
10 AND INTERFERENCES
11

12
13 *Ex parte* WOLFGANG BROSS, NORBERT HEUMUELLER,
14 FRITZ OESTERLE, SUNIL GULATI, ROBERT J. GALLAGHER,
15 THERESA O. WATSON, NATALIE D. MILNER-UPSHAW,
16 PENNY L. ARVISO, PAUL J. KUNZLER and
17 BARRY SCHNEIDERMAN
18

19
20 Appeal 2008-1485
21 Application 09/995,320
22 Technology Center 3600
23

24
25 Decided: December 9, 2008
26

27
28 *Before:* MURRIEL E. CRAWFORD, ANTON W. FETTING, and DAVID
29 B. WALKER, *Administrative Patent Judges.*

30
31 CRAWFORD, *Administrative Patent Judge.*
32

33 DECISION ON APPEAL
34

35 STATEMENT OF CASE

36 Appellants appeal under 35 U.S.C. § 134 (2002) from a final rejection
37 of claims 1, 3, 5-8 and 10-13. We have jurisdiction under 35 U.S.C. § 6(b)
38 (2002).

1 Appellants invented computerized transaction-tax processing
2 methods, software interfaces, modules, and software applications
3 (Specification 2:2-5).

4 The only independent claim under appeal reads as follows:

5 1. A computer-based method performed in a first transaction-
6 tax-related application of a first program controlled apparatus,
7 the method comprising:

8
9 exchanging transaction-related data with at least a second
10 transaction-tax-related application according to a standardized
11 transaction-tax interface data model, wherein the standardized
12 transaction-tax interface data model provides an interface
13 model which enables communications between the first
14 transaction-tax-related application and the second transaction-
15 tax-related application; and

16
17 wherein the first transaction-tax-related application uses
18 a first application-specific data model different from the
19 standardized transaction-tax interface data model, the method
20 further comprising mapping data elements of the first
21 application-specific data model to data elements of the
22 standardized transaction-tax interface data model, or vice versa
23 the mapping includes,

24
25 reading an output mapping definition;

26
27 deriving source information from the data elements
28 of the first application-specific data model
29 based on the read output mapping definition;
30 and

31
32 mapping the source information to the data
33 elements of the standardized transaction-tax
34 interface model.
35
36

1 The prior art relied upon by the Examiner in rejecting the claims on
2 appeal is:

3 Cox US 2003/0061061 A1 Mar. 27, 2003

4 Sullivan US 2003/0093320 A1 May 15, 2003

5
6 The Examiner rejected claims 1, 3, 5-8 and 10-13 under 35 U.S.C.
7 § 103(a) as being unpatentable over Sullivan in view of Cox.¹

8 We AFFIRM.

9
10 ISSUE

11 Did the Appellants show that the Examiner erred in finding that the
12 combination of the Uniform Data Model of Cox with the transaction tax
13 compliance system of Sullivan would render obvious the first transaction-
14 tax-related application, the second transaction-tax-related application and the
15 standardized transaction-tax interface data model recited in claim 1?

16
17 FINDINGS OF FACT

18 The Appellants invented a computer-based method and system for
19 exchanging transaction-tax-related data between first and second
20 transaction-tax related applications using a standardized transaction-tax
21 interface data model (Specification 4:12-20).

¹ In the Examiner's Answer mailed March 28, 2007, the Examiner withdrew the rejection of claims 1, 3, 5, 6 and 10-13 under 35 U.S.C. § 112, second paragraph, and the provisional rejection of claims 1, 3, 5-8 and 10-13 on the grounds of non-statutory obviousness-type double patenting (Answer 2).

1 Sullivan discloses the exchange of tax related information between
2 sellers, purchasers, transaction tax compliance systems, and tax authorities
3 via billing or purchasing systems, cash registers, and/or websites ([0005]-
4 [0007]).

5 Sullivan discloses address manager 270, tax rate manager 272 and tax
6 information manager 274 within transaction tax processor 201 (Fig. 1;
7 [0039], [0048]-[0053]).

8 Cox discloses that heterogenous computations environments require
9 the use of uniform data models to facilitate communications between
10 different infrastructure components ([0027]).

12 PRINCIPLES OF LAW

13 “[D]uring examination proceedings, claims are given their broadest
14 reasonable interpretation consistent with the specification.” *In re Hyatt*, 211
15 F.3d 1367, 1372 (Fed. Cir. 2000).

16 “[T]he examiner bears the initial burden, on review of the prior art or
17 on any other ground, of presenting a prima facie case of unpatentability. If
18 that burden is met, the burden of coming forward with evidence or argument
19 shifts to the applicant.” *In re Oetiker*, 977 F.2d 1443, 1445 (Fed.Cir. 1992).

21 ANALYSIS

22 The Appellants assert that managers 270-274 of transaction tax
23 processor 201 of Sullivan cannot correspond to the first and second
24 transaction-tax-related applications of claim 1 (Appeal Brief 9). However,
25 Sullivan discloses the exchange of tax related information between sellers,

1 purchasers, transaction tax compliance systems and tax authorities via
2 billing or purchasing systems, cash registers and/or websites ([0005]-[0007];
3 Examiner's Answer 6-7). The systems, registers and websites of Sullivan
4 are first and second transaction-tax-related applications under a broadest
5 reasonable interpretation. *See In re Hyatt*, 211 F.3d at 1372.

6 In combining the systems, registers, and websites of Sullivan with the
7 Uniform Data Model of Cox, the Examiner has met the initial burden of
8 presenting a *prima facie* case of unpatentability for the subject matter of
9 independent claim 1. *See In re Oetiker*, 977 F.2d at 1445. The Appellants
10 then bear the burden of coming forward with evidence or argument as to
11 why this combination is improper. *Id.* The Appellants, however, have only
12 presented arguments with respect to combining managers 270-274 of
13 Sullivan with the Uniform Data Model of Cox, and have not addressed why
14 combining the systems, registers, and websites of Sullivan with the Uniform
15 Data Model of Cox would be improper. Accordingly, as the Appellants
16 have not met the burden of coming forward subsequent to the Examiner's
17 establishment of a *prima facie* case of unpatentability, we sustain the
18 Examiner's rejection of claim 1 under 35 U.S.C. § 103(a) as being
19 unpatentable over Sullivan in view of Cox.

20 Claims 3, 5-8 and 10-13 depend from claim 1. Appellants have not
21 set forth any additional arguments as to why the Examiner erred in rejecting
22 these claims that are different from the argument set forth for claim 1.
23 Accordingly, these rejections are also sustained.
24

CONCLUSION OF LAW

The Appellants did not show that the Examiner erred in finding that the combination of the Uniform Data Model of Cox and the transaction tax compliance system of Sullivan would render obvious the first transaction-tax-related application, the second transaction-tax-related application, and the standardized transaction-tax interface data model recited in claim 1.

DECISION

The decision of the Examiner to reject claims 1, 3, 5-8 and 10-13 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 1.136(a)(1)(iv) (2007).

AFFIRMED

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20 LV:

21

22

23

24

25

26 HEWLETT PACKARD COMPANY

27 P O BOX 272400, 3404 E. HARMONY ROAD

28 INTELLECTUAL PROPERTY ADMINISTRATION

29 FORT COLLINS, CO 80527-2400